

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES

OF THE

STATE OF LOUISIANA

SIXTH DAY'S PROCEEDINGS

Thirty-second Extraordinary Session of the Legislature
Under the Adoption of the
Constitution of 1974

House of Representatives
State Capitol
Baton Rouge, Louisiana

Friday, March 12, 2004

The House of Representatives was called to order at 10:00 A.M.,
by the Honorable Joe R. Salter, Speaker of the House of
Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their
names:

PRESENT

Mr. Speaker	Flavin	Murray
Alario	Frith	Odinot
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Heaton	Romero
Broome	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hopkins	Smiley
Burrell	Hudson	Smith, G.—56th
Carter, K.	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Curtis	Johns	Strain
Damico	Katz	Thompson
Daniel	Kenney	Toomy
Dartez	LaBruzzo	Townsend
DeWitt	LaFleur	Trahan
Doerge	Lambert	Triche
Dorsey	Lancaster	Tucker
Dove	Marchand	Waddell
Downs	Martiny	Walker

Durand
Erdey
Fannin
Farrar
Faucheux
Total—102

McDonald
McVea
Montgomery
Morrell
Morrish

Walsworth
White
Winston
Wooton
Wright

ABSENT

Crowe
Total—2

Kennard

The Speaker announced that there were 102 members present
and a quorum.

Prayer

Prayer was offered by Rep. Jane Smith.

Pledge of Allegiance

Rep. Gray led the House in reciting the Pledge of Allegiance to
the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Walker, the reading of the Journal was
dispensed with.

On motion of Rep. Downs, and under a suspension of the rules,
the Journal of March 11, 2004, was corrected to reflect him as voting
nay on the House floor amendments by Rep. Tucker to House Bill
No. 1.

On motion of Rep. Downs, and under a suspension of the rules,
the Journal of March 11, 2004, was corrected to reflect him as voting
nay on the House floor amendments by Rep. Odinet to House Bill
No. 1.

On motion of Rep. Dove, and under a suspension of the rules,
the Journal of March 11, 2004, was corrected to reflect him as voting
yea on the House floor amendments by Rep. Tucker to House Bill
No. 1.

On motion of Rep. Dove, and under a suspension of the rules,
the Journal of March 11, 2004, was corrected to reflect him as voting
yea on the House floor amendments by Rep. Odinet to House Bill
No. 1.

On motion of Rep. Walker, the Journal of March 11, 2004, was
adopted.

Suspension of the Rules

On motion of Rep. Flavin, the rules were suspended to limit the
author or proponent handling the legislative instrument to ten
minutes for opening remarks and all subsequent speakers on the
instrument to five minutes.

**Petitions, Memorials and
Communications**

The following petitions, memorials, and communications were
received and read:

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

March 10, 2004

To the Honorable Speaker and Members of the House of
Representatives:

Page 2 HOUSE

6th Day's Proceedings - March 12, 2004

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 7

Respectfully submitted,

GLENN KOEPP
Acting Secretary of the Senate

House and House Concurrent Resolutions Reported by Committee

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

HOUSE RESOLUTION NO. 1— BY REPRESENTATIVES CROWE AND SCALISE A RESOLUTION

To amend and readopt House Rule 6.1 of the Rules of Order of the House of Representatives, to provide for the appointment of the Select Committee on Technology; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed House Resolution No. 1 by Representative Crowe

AMENDMENT NO. 1

On page 1, line 3, after "appointment of" delete "select committees;" and insert "the Select Committee on Technology;"

AMENDMENT NO. 2

On page 2, delete lines 11 through 14 and insert the following:

"B. The Speaker may establish a Select Committee on Technology. He shall appoint the members thereof and designate the chairman. If established, the Select Committee on Technology shall have the same powers, duties, and authorities and shall be subject to the same rules as standing committees during interims between sessions. The Select Committee on Technology shall study and advise the House on issues and matters relating to information technology and information system development; software technology industry development; tax exemptions and credits for the software technology industries; electronic commerce; and promotion of technology transfer."

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the resolution, as amended, was ordered reengrossed and passed to its third reading.

HOUSE RESOLUTION NO. 3—

BY REPRESENTATIVE HUNTER

A RESOLUTION

To amend and readopt House Rule 6.3(A) of the Rules of Order of the House of Representatives to provide that chairmen of standing committees may serve on other standing committees.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the resolution was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 7—

BY REPRESENTATIVES ST. GERMAIN, ARNOLD, BRUNEAU, GALLOT, LANCASTER, MONTGOMERY, MURRAY, AND SMILEY

A CONCURRENT RESOLUTION

To designate the ground floor breezeway of the Louisiana State Capitol as Elias "Bo" Ackal, Jr. Hall.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the resolution was ordered engrossed and passed to its third reading.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

HOUSE BILL NO. 2—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, MONTGOMERY, ARNOLD, BALDONE, K. CARTER, DARTEZ, FARRAR, FAUCHEUX, HEATON, JEFFERSON, KENNEY, RICHMOND, JANE SMITH, AND TOWNSEND

AN ACT

To enact R.S. 47:301(3)(i), (13)(k), and (28) and 337.10(I), relative to sales and use tax of the state and statewide political subdivisions; to provide for the reduction of the sales price, cost price, gross proceeds derived from a lease or rental, monthly lease or rental price paid, and the monthly lease or rental price contracted or agreed to by way of a definitional exclusion of certain machinery and equipment; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. DeWitt, and under a suspension of the rules, consideration of the above bill was deferred at this time.

HOUSE BILL NO. 3—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, MONTGOMERY, ARNOLD, BALDONE, K. CARTER, DARTEZ, FARRAR, FAUCHEUX, HEATON, JEFFERSON, KENNEY, RICHMOND, JANE SMITH, AND TOWNSEND

AN ACT

To amend and reenact R.S. 47:601(A)(introductory paragraph), 602(A), (B), and (E)(1), 603(A), 604(A)(introductory paragraph) and (C), and 606(A)(introductory paragraph) and (C), to enact R.S. 47:602(G) and 605.1, and to repeal R.S.

47:601(D) and 603, relative to the corporation franchise tax; to reduce the amount of borrowed capital included in taxable capital until it is phased out; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. DeWitt, and under a suspension of the rules, consideration of the above bill was deferred at this time.

HOUSE BILL NO. 12 (Duplicate of Senate Bill No. 8)—

BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER AND COAUTHORED BY REPRESENTATIVES TRICHE AND MURRAY AND SENATORS HINES AND MOUNT

AN ACT

To amend and reenact R.S. 39:94(A), relative to the Budget Stabilization Fund; to provide for an increase in the base amount of revenues received by the state as a result of the production of or exploration for minerals, as a result of grants or donations, and as derived from any tax on the transportation of minerals which base is used to determine the deposit of such revenues into the fund; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Alario, the bill was returned to the calendar.

HOUSE BILL NO. 23—

BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact that part of Section 9(B)(14) of Act 1134 of the 2003 Regular Session of the Legislature which is applicable to the allocation and distribution of funds in East Baton Rouge Parish, relative to the Revenue Sharing Fund; to provide with respect to certain distributions in East Baton Rouge Parish for Fiscal Year 2003-2004; to provide for the retroactive application of this Act; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Damico, and under a suspension of the rules, consideration of the above bill was deferred at this time.

HOUSE BILL NO. 5—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, MONTGOMERY, BALDONE, K. CARTER, CURTIS, DARTEZ, FARRAR, FAUCHEUX, JEFFERSON, SCALISE, AND TOWNSEND

AN ACT

To amend and reenact Section 3 of Act No. 535 of the 1988 Regular Session of the Legislature, as amended by Section 2 of Act No. 285 of the 1992 Regular Session of the Legislature, Section 3 of Act No. 1291 of the 1997 Regular Session of the Legislature, Section 1 of Act No. 50 of the 1998 Regular Session of the Legislature, and Section 3 of Act No. 7 of the 2001 First Extraordinary Session of the Legislature, relative to the Louisiana Tax Free Shopping Program; to change the termination date of the program; and to provide for related matters.

Read by title.

Motion

On motion of Rep. DeWitt, the bill was returned to the calendar.

HOUSE BILL NO. 6—

BY REPRESENTATIVES DANIEL, HAMMETT, SALTER, ALARIO, MONTGOMERY, BALDONE, CURTIS, DARTEZ, FARRAR, FAUCHEUX, HILL, JEFFERSON, SCALISE, AND TOWNSEND

AN ACT

To amend and reenact Section 3 of Act No. 60 of the 2002 Regular Session of the Legislature, relative to the corporation franchise tax and individual income tax credit for costs associated with the rehabilitation of certain historic structures; to provide for the taxable periods in which the credit may be taken; and to provide for related matters.

Read by title.

Motion

On motion of Rep. DeWitt, the bill was returned to the calendar.

HOUSE BILL NO. 7—

BY REPRESENTATIVES HAMMETT, ARNOLD, FAUCHEUX, HILL, KENNEY, MONTGOMERY, MORRELL, ODINET, RICHMOND, AND JANE SMITH

AN ACT

To amend and reenact R.S. 51:2461(B), relative to the Louisiana Quality Jobs Program Act; to extend the time period for application for tax credits and rebates; and to provide for related matters.

Read by title.

Motion

On motion of Rep. DeWitt, the bill was returned to the calendar.

HOUSE BILL NO. 8—

BY REPRESENTATIVES FAUCHEUX, HAMMETT, SALTER, MONTGOMERY, ALARIO, DANIEL, HILL, LABRUZZO, QUEZAIRE, GARY SMITH, AND TOOMY AND SENATORS AMEDEE, CHAISSON, FONTENOT, HEITMEIER, AND LENTINI

AN ACT

To enact R.S. 47:302(R), 321(I), and 331(P), relative to the sales and use tax; to extend the effectiveness of the exemption for purchases of utilities used by certain steelworks and blast furnaces; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Murray sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Engrossed House Bill No. 8 by Representative Faucheux

AMENDMENT NO. 1

On page 1, line 13, after "effective", insert a period "." and delete the remainder of the line.

AMENDMENT NO. 2

On page 2, line 2, after "effective", insert a period "." and delete the remainder of the line.

Page 4 HOUSE

6th Day's Proceedings - March 12, 2004

AMENDMENT NO. 3

On page 2, line 10, after "effective", insert a period "." and delete the remainder of the line.

On motion of Rep. Murray, the amendments were withdrawn.

Rep. Faucheux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Flavin	Murray
Alexander	Frith	Odinet
Ansardi	Futrell	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Glover	Powell, M.
Baudoin	Gray	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Hammett	Ritchie
Broome	Heaton	Scalise
Bruce	Hebert	Schneider
Bruneau	Hill	Shepherd
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.—56th
Carter, K.	Hudson	Smith, J.D.—50th
Carter, R.	Hunter	Smith, J.H.—8th
Cazayoux	Hutter	Smith, J.R.—30th
Crane	Jackson	St. Germain
Crowe	Jefferson	Strain
Curtis	Johns	Thompson
Damico	Katz	Toomy
Daniel	Kenney	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrell	
Total—101		

NAYS

Total—0

ABSENT

Kennard	Romero	Tucker
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Faucheux moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Cazayoux, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

HOUSE BILL NO. 9—

BY REPRESENTATIVES HAMMETT, ALARIO, ARNOLD, FAUCHEUX, HILL, KENNEY, MORRELL, ODINET, RICHMOND AND JANE SMITH
AN ACT

To amend and reenact R.S. 47:301(16)(l), relative to state and political subdivision sales and use tax; to provide that tangible personal property shall not include other constructions permanently attached to the land; and to provide for related matters.

Read by title.

Rep. Hammett moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Flavin	Murray
Alexander	Frith	Odinet
Ansardi	Futrell	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Glover	Powell, M.
Baudoin	Gray	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Broome	Hammett	Ritchie
Bruce	Heaton	Romero
Bruneau	Hebert	Scalise
Burns	Hill	Shepherd
Burrell	Honey	Smiley
Carter, K.	Hopkins	Smith, G.—56th
Carter, R.	Hudson	Smith, J.D.—50th
Cazayoux	Hunter	Smith, J.H.—8th
Crane	Hutter	Smith, J.R.—30th
Crowe	Jackson	St. Germain
Curtis	Jefferson	Strain
Damico	Johns	Thompson
Daniel	Kenney	Toomy
Dartez	LaBruzzo	Townsend
DeWitt	LaFleur	Trahan
Doerge	Lambert	Triche
Dorsey	Lancaster	Tucker
Dove	Marchand	Waddell
Downs	Martiny	Walker
Durand	McDonald	White
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrell	
Total—98		

NAYS

Bowler	Schneider	Winston
Total—3		

ABSENT

Katz	Kennard	Walsworth
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hammett moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Bruneau, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

HOUSE BILL NO. 10—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:6007, relative to the Louisiana motion picture investor tax credit; to remove the sunset date; to limit the credit so that it will not exceed Louisiana expenditures of the production; to authorize a carry forward of tax credits; to provide for administrative procedures and fees for the credit by the Governor's Office of Film and Television and the Department of Revenue; and to provide for related matters.

Read by title.

Rep. Hammett moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Odinot
Alario	Flavin	Pierre
Alexander	Frith	Pinac
Ansardi	Futrell	Pitre
Arnold	Gallot	Powell, M.
Badon	Geymann	Powell, T.
Baldone	Glover	Quezaire
Baudoin	Gray	Richmond
Baylor	Guillory, E.	Ritchie
Beard	Guillory, M.	Romero
Bowler	Hammett	Scalise
Broome	Heaton	Schneider
Bruce	Hebert	Shepherd
Bruneau	Hill	Smiley
Burns	Honey	Smith, G.—56th
Burrell	Hudson	Smith, J.D.—50th
Carter, K.	Hunter	Smith, J.H.—8th
Carter, R.	Hutter	Smith, J.R.—30th
Cazayoux	Jackson	Strain
Crane	Jefferson	Thompson
Crowe	Johns	Toomy
Curtis	Katz	Townsend
Damico	LaBruzzo	Trahan
Daniel	LaFleur	Triche
Dartez	Lambert	Tucker
DeWitt	Lancaster	Waddell
Doerge	Marchand	Walker
Dorsey	Martiny	Walsworth
Dove	McDonald	White
Downs	McVea	Winston
Durand	Montgomery	Wooton
Erdey	Morrell	Wright
Fannin	Morrish	
Farrar	Murray	
Total—100		

NAYS

Total—0

ABSENT

Hopkins	Kennedy
Kennard	St. Germain
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hammett moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 15—

BY REPRESENTATIVES HAMMETT, STRAIN, ALARIO, ALEXANDER, ARNOLD, BALDONE, BOWLER, BRUCE, BURNS, K. CARTER, CURTIS, DANIEL, DARTEZ, DOERGE, DOWNS, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GEYMAN, HILL, HOPKINS, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, MCDONALD, MONTGOMERY, MORRELL, MORRISH, ODINET, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, SCALISE, JACK SMITH, JANE SMITH, JOHN SMITH, THOMPSON, TOOMY, TOWNSEND, WADDELL, AND WALKER AND SENATORS AMEDEE, BARHAM, DUPLESSIS, ELLINGTON, N. GAUTREAUX, HOLLIS, KOSTELKA, MCPHERSON, MICHOT, NEVERS, AND SMITH

AN ACT

To enact R.S. 47:301(10)(x), relative to the sales and use taxes of the state and statewide political subdivisions; to exclude the sale or purchase by consumers of certain fuels or gases for residential use; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. McDonald, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald on behalf of the Legislative Bureau to Engrossed House Bill No. 15 by Representative Hammett

AMENDMENT NO. 1

On page 1, line 7, following "hereby" and before "to" change "amended and reenacted" to "enacted"

On motion of Rep. McDonald, the amendments were adopted.

Rep. Strain sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Strain to Engrossed House Bill No. 15 by Representative Hammett

AMENDMENT NO. 1

Change "HAMMETT, STRAIN," to "STRAIN, HAMMETT,"

On motion of Rep. Strain, the amendments were adopted.

Rep. Strain moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

Page 6 HOUSE

6th Day's Proceedings - March 12, 2004

YEAS

Mr. Speaker	Flavin	Odinot
Alario	Frith	Pierre
Alexander	Futrell	Pinac
Ansardi	Gallot	Pitre
Arnold	Geymann	Powell, M.
Badon	Glover	Powell, T.
Baldone	Gray	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Romero
Bowler	Heaton	Scalise
Broome	Hebert	Schneider
Bruce	Hill	Shepherd
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, G.—56th
Burrell	Hudson	Smith, J.D.—50th
Carter, K.	Hunter	Smith, J.H.—8th
Carter, R.	Hutter	Smith, J.R.—30th
Cazayoux	Jackson	St. Germain
Crane	Jefferson	Strain
Crowe	Johns	Thompson
Curtis	Katz	Toomy
Damico	Kenney	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	
Faucheux	Murray	
Total—103		

NAYS

Total—0

ABSENT

Kennard
Total—1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Strain moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 35—

BY REPRESENTATIVES MONTGOMERY, ARNOLD, BALDONE, CURTIS, DANIEL, FARRAR, FAUCHEUX, HILL, JEFFERSON, KENNEY, MORRELL, ODINET, SCALISE, JANE SMITH, AND TOWNSEND

AN ACT

To amend and reenact R.S. 47:305.50(A)(1)(a) and Section 2 of Act No. 8 of the 1996 Regular Session of the Legislature, as amended by Act No. 41 of the 1998 Regular Session of the Legislature, by Act No. 27 of the 2000 Regular Session of the Legislature, and by Act No. 2 of the 2002 Regular Session of the Legislature, relative to the sales and use tax; to delete the time limitation for the exemption for certain buses, trucks, and trailers used in interstate commerce; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Montgomery moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Murray
Alario	Flavin	Odinot
Alexander	Frith	Pierre
Ansardi	Futrell	Pinac
Arnold	Gallot	Pitre
Badon	Geymann	Powell, M.
Baldone	Gray	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Heaton	Romero
Broome	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hopkins	Smiley
Burrell	Hudson	Smith, G.—56th
Carter, K.	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson
Damico	Kenney	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright
Total—102		

NAYS

Total—0

ABSENT

Glover
Total—2

Kennard

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Montgomery moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 38—

BY REPRESENTATIVES LAFLEUR AND FAUCHEUX
AN ACT

To amend and reenact R.S. 47:305.50(B), relative to the state sales and use tax; to exempt repairs of rail rolling stock manufactured in this state for use in interstate commerce from the tax, under certain circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. LaFleur, the bill was returned to the calendar.

HOUSE BILL NO. 23—
BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact that part of Section 9(B)(14) of Act 1134 of the 2003 Regular Session of the Legislature which is applicable to the allocation and distribution of funds in East Baton Rouge Parish, relative to the Revenue Sharing Fund; to provide with respect to certain distributions in East Baton Rouge Parish for Fiscal Year 2003-2004; to provide for the retroactive application of this Act; and to provide for related matters.

Read by title.

Rep. McVea sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McVea to Engrossed House Bill No. 23 by Representative McVea

AMENDMENT NO. 1

On page 1, line 9, after "Section 1." and before "Section 9(B)(14)" insert "That part of"

AMENDMENT NO. 2

On page 1, line 10, after "Legislature" and before "is hereby" insert "which is applicable to the allocation and distribution of funds in East Baton Rouge Parish"

On motion of Rep. McVea, the amendments were adopted.

Rep. McVea moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Murray
Alario	Flavin	Odinot
Alexander	Frith	Pierre
Ansardi	Futrell	Pinac
Arnold	Gallot	Pitre
Badon	Geymann	Powell, M.
Baldone	Gray	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Heaton	Romero
Broome	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hopkins	Smiley
Burrell	Hudson	Smith, G.—56th
Carter, K.	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson

Damico	Kenney	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright

Total—102

NAYS

Total—0

ABSENT

Glover	Kennard
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. McVea moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Alario, the rules were suspended in order to take up and consider Senate Bills and Joint Resolutions on Third Reading and Final Passage at this time.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar**SENATE BILL NO. 8—**

BY SENATORS HEITMEIER, HINES, MOUNT, CHEEK, DUPLESSIS, FIELDS, B. GAUTREAUX, HOLDEN, JACKSON, JONES, LENTINI, MCPHERSON, ULLO AND BAJIOE

AN ACT

To amend and reenact R.S. 39:94(A), relative to the Budget Stabilization Fund; to provide for an increase in the base amount of revenues received by the state as a result of the production of or exploration for minerals, as a result of grants or donations, and as derived from any tax on the transportation of minerals which base is used to determine the deposit of such revenues into the fund; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Alario sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 8 by Senator Heitmeier (Duplicate of House Bill No. 12)

Page 8 HOUSE

6th Day's Proceedings - March 12, 2004

AMENDMENT NO. 1

Delete the set of House Floor Amendments proposed by Representative Alario and adopted by the House on March 11, 2004

AMENDMENT NO. 2

On page 3, delete lines 2 through 4 in their entirety, and insert the following:

"Section 2. In the event that the Revenue Estimating Conference revises the official forecast for Fiscal Year 2003-2004 to incorporate additional state general fund revenues resulting from this Act, not less than forty-six million four hundred thousand dollars of such additional revenue shall be appropriated to the Louisiana Medical Assistance Trust Fund to be used in Fiscal Year 2004-2005 for the Medical Vendor Payments Program."

On motion of Rep. Alario, the amendments were adopted.

Rep. Alario moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Montgomery
Alario	Frith	Morrell
Ansardi	Futrell	Morrish
Arnold	Gallot	Murray
Badon	Geymann	Odinot
Baldone	Glover	Pierre
Baudoin	Gray	Pinac
Baylor	Guillory, E.	Powell, M.
Broome	Guillory, M.	Powell, T.
Bruce	Hammett	Quezaire
Burns	Heaton	Richmond
Burrell	Hebert	Ritchie
Carter, K.	Hill	Shepherd
Carter, R.	Honey	Smith, G.—56th
Cazayoux	Hopkins	Smith, J.D.—50th
Crane	Hudson	Smith, J.H.—8th
Curtis	Hunter	Smith, J.R.—30th
Damico	Hutter	St. Germain
Daniel	Jackson	Strain
Dartez	Jefferson	Thompson
DeWitt	Johns	Townsend
Doerge	Kenney	Trahan
Dorsey	LaFleur	Triche
Dove	Lambert	Waddell
Downs	Marchand	Walker
Durand	Martiny	White
Fannin	McDonald	Wooton
Farrar	McVea	Wright
Total—84		

NAYS

Alexander	Katz	Toomy
Beard	LaBruzzo	Tucker
Bowler	Pitre	Walsworth
Bruneau	Romero	Winston
Erdey	Scalise	
Flavin	Schneider	
Total—16		

ABSENT

Crowe	Lancaster
Kennard	Smiley
Total—4	

The Chair declared the above bill was finally passed.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 9—

BY SENATORS MOUNT, HINES, HEITMEIER, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HAINKEL, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, NEVERS, ROMERO, SCHEDLER, SMITH AND ULLO AND REPRESENTATIVES HAMMETT, SALTER, ALARIO AND MONTGOMERY

AN ACT

To amend and reenact Section 3 of Act No. 60 of the 2002 Regular Session of the Legislature, relative to the income and franchise tax credits for costs associated with the rehabilitation of certain historic structures; to provide for the taxable periods in which the credit may be taken; and to provide for related matters.

Read by title.

Rep. Daniel moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Odinot
Alario	Frith	Pierre
Alexander	Futrell	Pinac
Ansardi	Gallot	Pitre
Arnold	Geymann	Powell, M.
Badon	Glover	Powell, T.
Baldone	Gray	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Romero
Bowler	Heaton	Scalise
Broome	Hebert	Schneider
Bruce	Hill	Shepherd
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, G.—56th
Burrell	Hudson	Smith, J.D.—50th
Carter, K.	Hunter	Smith, J.H.—8th
Carter, R.	Hutter	Smith, J.R.—30th
Cazayoux	Jackson	St. Germain
Crane	Jefferson	Strain
Crowe	Johns	Thompson
Curtis	Katz	Toomy
Damico	Kenney	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright

Farrar
Fauchaux
Total—103

Morrish
Murray

NAYS

Total—0

ABSENT

Kennard
Total—1

The Chair declared the above bill was finally passed.

Rep. Daniel moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 14—

BY SENATORS MOUNT, HINES, HEITMEIER, DUPRE AND NEVERS
AND REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 51:2461(B), relative to the Louisiana Quality Jobs Program Act; to extend the time period for application for tax credits and rebates; and to provide for related matters.

Read by title.

Rep. Hammett moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fauchaux	Morrish
Alario	Flavin	Murray
Alexander	Frith	Odinot
Ansardi	Futrell	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Glover	Powell, M.
Baudoin	Gray	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Hammett	Ritchie
Broome	Heaton	Scalise
Bruce	Hebert	Schneider
Bruneau	Hill	Shepherd
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.—56th
Carter, K.	Hudson	Smith, J.D.—50th
Carter, R.	Hunter	Smith, J.H.—8th
Cazayoux	Hutter	Smith, J.R.—30th
Crane	Jackson	St. Germain
Crowe	Jefferson	Strain
Curtis	Johns	Thompson
Damico	Katz	Toomy
Daniel	Kenney	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston

Fannin
Farrar
Total—102

Montgomery
Morrell

NAYS

Wooton
Wright

Romero
Total—1

ABSENT

Kennard
Total—1

The Chair declared the above bill was finally passed.

Rep. Hammett moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 15—

BY SENATORS MOUNT, HINES, HEITMEIER AND HAINKEL AND
REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact Section 3 of Act No. 535 of the 1988 Regular Session of the Legislature, as amended by Section 2 of Act No. 285 of the 1992 Regular Session of the Legislature, Section 3 of Act No. 1291 of the 1997 Regular Session of the Legislature, Section 1 of Act No. 50 of the 1998 Regular Session of the Legislature, and Section 3 of Act No. 7 of the 2001 First Extraordinary Session of the Legislature, relative to the Louisiana Tax Free Shopping Program; to change the termination date of the program; and to provide for related matters.

Read by title.

Rep. Hammett moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fauchaux	Murray
Alario	Flavin	Odinot
Alexander	Frith	Pierre
Ansardi	Futrell	Pinac
Arnold	Gallot	Pitre
Badon	Geymann	Powell, M.
Baldone	Glover	Powell, T.
Baudoin	Gray	Quezaire
Baylor	Guillory, E.	Richmond
Beard	Guillory, M.	Ritchie
Bowler	Hammett	Romero
Broome	Heaton	Scalise
Bruce	Hebert	Shepherd
Bruneau	Hill	Smiley
Burns	Honey	Smith, G.—56th
Burrell	Hopkins	Smith, J.D.—50th
Carter, K.	Hudson	Smith, J.H.—8th
Carter, R.	Hunter	Smith, J.R.—30th
Cazayoux	Hutter	St. Germain
Crane	Jackson	Strain
Crowe	Jefferson	Thompson
Curtis	Johns	Toomy
Damico	Kenney	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	Lambert	Tucker

Page 10 HOUSE

6th Day's Proceedings - March 12, 2004

Doerge	Lancaster	Walker
Dorsey	Marchand	Walsworth
Dove	Martiny	White
Downs	McDonald	Winston
Durand	McVea	Wooton
Erdey	Montgomery	Wright
Fannin	Morrell	
Farrar	Morrish	
Total—100		

NAYS

Schneider
Total—1

ABSENT

Katz	Kennard	Waddell
Total—3		

The Chair declared the above bill was finally passed.

Rep. Hammett moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

HOUSE BILL NO. 32— BY REPRESENTATIVE TOWNSEND AN ACT

To amend and reenact R.S. 33:2738.84(A)(1) and (D), relative to municipal sales and use taxes; to provide with respect to the allowable uses of the proceeds derived from the levy and collection of an additional sales and use tax by the city of Natchitoches; to remove references to population categories; and to provide for related matters.

Read by title.

Rep. Townsend moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Odinot
Alario	Frith	Pierre
Alexander	Futrell	Pinac
Arnold	Gallot	Pitre
Badon	Geymann	Powell, M.
Baldone	Glover	Powell, T.
Baudoin	Gray	Quezaire
Baylor	Guillory, E.	Richmond
Beard	Guillory, M.	Ritchie
Bowler	Hammett	Romero
Broome	Heaton	Scalise
Bruce	Hebert	Schneider
Bruneau	Hill	Shepherd
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.—56th
Carter, K.	Hudson	Smith, J.D.—50th

Carter, R.	Hunter	Smith, J.H.—8th
Cazayoux	Hutter	Smith, J.R.—30th
Crane	Jackson	St. Germain
Curtis	Jefferson	Strain
Damico	Johns	Thompson
Daniel	Katz	Toomy
Dartez	Kenney	Townsend
DeWitt	LaBruzzo	Trahan
Doerge	LaFleur	Triche
Dorsey	Lambert	Tucker
Dove	Lancaster	Waddell
Downs	Marchand	Walker
Durand	McDonald	Walsworth
Erdey	McVea	White
Fannin	Montgomery	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright
Total—99		

NAYS

Total—0

ABSENT

Ansardi	Kennard	Morrell
Crowe	Martiny	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Townsend moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Recess

On motion of Rep. Hammett, the Speaker declared the House at recess until 11:40 A.M.

After Recess

Speaker Salter called the House to order at 12:00 P.M.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Flavin	Odinot
Alario	Frith	Pierre
Alexander	Futrell	Pinac
Ansardi	Gallot	Pitre
Arnold	Geymann	Powell, M.
Badon	Glover	Powell, T.
Baldone	Gray	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Romero
Bowler	Heaton	Scalise
Broome	Hebert	Schneider
Bruce	Hill	Shepherd
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, G.—56th
Burrell	Hudson	Smith, J.D.—50th
Carter, K.	Hunter	Smith, J.H.—8th

Carter, R.	Hutter	Smith, J.R.—30th
Cazayoux	Jackson	St. Germain
Crane	Jefferson	Strain
Crowe	Johns	Thompson
Curtis	Katz	Toomy
Damico	Kenney	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	
Faucheux	Murray	
Total—103		

ABSENT

Kennard
Total—1

The Speaker announced there were 103 members present and a quorum.

HOUSE BILL NO. 2—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, MONTGOMERY, ARNOLD, BALDONE, K. CARTER, DARTEZ, FARRAR, FAUCHEUX, HEATON, JEFFERSON, KENNEY, RICHMOND, JANE SMITH, AND TOWNSEND

AN ACT

To enact R.S. 47:301(3)(i), (13)(k), and (28) and 337.10(I), relative to sales and use tax of the state and statewide political subdivisions; to provide for the reduction of the sales price, cost price, gross proceeds derived from a lease or rental, monthly lease or rental price paid, and the monthly lease or rental price contracted or agreed to by way of a definitional exclusion of certain machinery and equipment; and to provide for related matters.

Read by title.

Rep. Hammett sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hammett to Engrossed House Bill No. 2 by Representative Hammett

AMENDMENT NO. 1

On page 1, line 2, after "337.10(I)" and before the comma ", " insert "and to amend and reenact R.S. 47:301(3)(i)(i), (13)(k)(i), and (28)(a),"

AMENDMENT NO. 2

On page 1, line 6, after the semicolon "; " delete the remainder of the line, and insert the following:

"to provide for effective dates; and to provide for"

AMENDMENT NO. 3

On page 1, line 21, after "actual" and before "manufacturing" insert "manufacturing for agricultural purposes or the actual"

AMENDMENT NO. 4

On page 2, at the end of line 20, insert the following:

"Machinery and equipment" shall also mean tangible personal property or other property that is eligible for depreciation for federal income tax purposes and that is used as an integral part of the production, processing, and storing of food and fiber or of timber."

AMENDMENT NO. 5

On page 3, line 20, after "the" and before "manufacturing" insert "agricultural, forestry, fishing, and hunting Sector 11 or the"

AMENDMENT NO. 6

On page 4, between lines 9 and 10, insert the following:

"(dd) "Manufacturing for agricultural purposes" means the production, processing, and storing of food and fiber and the production, processing, and storing of timber."

AMENDMENT NO. 7

On page 4, line 10, change "(dd)" to "(ee)"

AMENDMENT NO. 8

On page 4, line 11, after "Sectors" change "31-33" to "11 and 31-33"

AMENDMENT NO. 9

On page 4, line 14, change "(ee)" to "(ff)" and at the end of line 14, delete the period "." and insert "or manufacturing for agricultural purposes."

AMENDMENT NO. 10

On page 4, line 28, after "actual" and before "manufacturing" insert "manufacturing for agricultural purposes or the actual"

AMENDMENT NO. 11

On page 5, line 18, after "manufacturing," and before "plant facility," insert "manufacturing for agricultural purposes,"

AMENDMENT NO. 12

On page 6, at the end of line 3, insert "manufacturing for agricultural purposes or the actual"

AMENDMENT NO. 13

On page 6, line 22, after "manufacturing," and before "plant facility," insert "manufacturing for agricultural purposes,"

AMENDMENT NO. 14

On page 7, between lines 10 and 11, insert the following:

"Section 2. R.S. 47:301(3)(i)(i), (13)(k)(i), and (28)(a) are hereby amended and reenacted to read as follows:

§301. Definitions

As used in this Chapter the following words, terms, and phrases have the meaning ascribed to them in this Section, unless the context clearly indicates a different meaning:

* * *

(3)

* * *

(i)(i) For purposes of the imposition of the use tax levied by the state and any political subdivision whose boundaries are coterminous with those of the state, the cost price of machinery and equipment used by a manufacturer in a plant facility predominately and directly in the actual manufacturing process of an item of tangible personal property, which is for ultimate sale to another and not for internal use, at one or more fixed locations within Louisiana, shall be reduced as follows:

(aa) For the period ending on June 30, 2005, the cost price shall be reduced by two percent.

(aa) (bb) For the period beginning July 1, 2005, and ending on June 30, 2006, the cost price shall be reduced by ~~fourteen~~ sixteen percent.

(bb) (cc) For the period beginning July 1, 2006, and ending on June 30, 2007, the cost price shall be reduced by ~~twenty-eight~~ thirty percent.

(cc) (dd) For the period beginning July 1, 2007, and ending on June 30, 2008, the cost price shall be reduced by ~~forty-two~~ forty-four percent.

(dd) (ee) For the period beginning July 1, 2008, and ending on June 30, 2009, the cost price shall be reduced by ~~fifty-six~~ fifty-eight percent.

(ee) (ff) For the period beginning July 1, 2009, and ending on June 30, 2010, the cost price shall be reduced by ~~seventy~~ seventy-two percent.

(ff) (gg) For the period beginning July 1, 2010, and ending on June 30, 2011, the cost price shall be reduced by ~~eighty-four~~ eighty-six percent.

(gg) (hh) For all periods beginning on or after July 1, 2011, the cost price shall be reduced by one hundred percent.

* * *

(13)

* * *

(k)(i) For purposes of the imposition of the sales tax levied by the state and any political subdivision whose boundaries are coterminous with those of the state, the sales price of machinery and equipment purchased by a manufacturer for use in a plant facility predominately and directly in the actual manufacturing process of an item of tangible personal property, which is for ultimate sale to another and not for internal use, at one or more fixed locations within Louisiana shall be reduced as follows:

(aa) For the period ending on June 30, 2005, the cost price shall be reduced by two percent.

(aa) (bb) For the period beginning July 1, 2005, and ending on June 30, 2006, the sales price shall be reduced by ~~fourteen~~ sixteen percent.

(bb) (cc) For the period beginning July 1, 2006, and ending on June 30, 2007, the sales price shall be reduced by ~~twenty-eight~~ thirty percent.

(cc) (dd) For the period beginning July 1, 2007, and ending on June 30, 2008, the sales price shall be reduced by ~~forty-two~~ forty-four percent.

(dd) (ee) For the period beginning July 1, 2008, and ending on June 30, 2009, the sales price shall be reduced by ~~fifty-six~~ fifty-eight percent.

(ee) (ff) For the period beginning July 1, 2009, and ending on June 30, 2010, the sales price shall be reduced by ~~seventy~~ seventy-two percent.

(ff) (gg) For the period beginning July 1, 2010, and ending on June 30, 2011, the sales price shall be reduced by ~~eighty-four~~ eighty-six percent.

(gg) (hh) For all periods beginning on or after July 1, 2011, the sales price shall be reduced by one hundred percent.

* * *

(28)(a) For purposes of the imposition of the lease or rental tax levied by the state and any political subdivision whose boundaries are coterminous with those of the state, the "gross proceeds", "monthly lease or rental price paid", and "monthly lease or rental price contracted or agreed to be paid" for machinery and equipment used by a manufacturer in a plant facility predominately and directly in the actual manufacturing process of an item of tangible personal property, which is for ultimate sale to another and not for internal use, at one or more fixed locations within Louisiana shall be reduced as follows:

(i) For the period ending on June 30, 2005, by two percent.

(i) (ii) For the period beginning July 1, 2005, and ending on June 30, 2006, by ~~fourteen~~ sixteen percent.

(ii) (iii) For the period beginning July 1, 2006, and ending on June 30, 2007, by ~~twenty-eight~~ thirty percent.

(iii) (iv) For the period beginning July 1, 2007, and ending on June 30, 2008, by ~~forty-two~~ forty-four percent.

(iv) (v) For the period beginning July 1, 2008, and ending on June 30, 2009, by ~~fifty-six~~ fifty-eight percent.

(v) (vi) For the period beginning July 1, 2009, and ending on June 30, 2010, by ~~seventy~~ seventy-two percent.

(vi) (vii) For the period beginning July 1, 2010, and ending on June 30, 2011, by ~~eighty-four~~ eighty-six percent.

(vii) (viii) For all periods beginning on or after July 1, 2011, by one hundred percent.

* * *

Section 3. R.S. 47:301(3)(i)(i), (13)(k)(i), and (28)(a) are hereby amended and reenacted to read as follows:

§301. Definitions

As used in this Chapter the following words, terms, and phrases have the meaning ascribed to them in this Section, unless the context clearly indicates a different meaning:

* * *

(3)

* * *

(i)(i) For purposes of the imposition of the use tax levied by the state and any political subdivision whose boundaries are coterminous with those of the state, the cost price of machinery and equipment used by a manufacturer in a plant facility predominately and directly in the actual manufacturing process of an item of tangible personal property, which is for ultimate sale to another and not for internal use, at one or more fixed locations within Louisiana, shall be reduced as follows:

(aa) For the period ending on June 30, 2005, the cost price shall be reduced by five percent.

(aa) (bb) For the period beginning July 1, 2005, and ending on June 30, 2006, the cost price shall be reduced by ~~fourteen~~ nineteen percent.

(bb) (cc) For the period beginning July 1, 2006, and ending on June 30, 2007, the cost price shall be reduced by ~~twenty-eight~~ thirty-three percent.

(cc) (dd) For the period beginning July 1, 2007, and ending on June 30, 2008, the cost price shall be reduced by ~~forty-two~~ forty-seven percent.

(dd) (ee) For the period beginning July 1, 2008, and ending on June 30, 2009, the cost price shall be reduced by ~~fifty-six~~ sixty-one percent.

(ee) (ff) For the period beginning July 1, 2009, and ending on June 30, 2010, the cost price shall be reduced by ~~seventy~~ seventy-five percent.

(ff) (gg) For the period beginning July 1, 2010, and ending on June 30, 2011, the cost price shall be reduced by ~~eighty-four~~ eighty-nine percent.

(gg) (hh) For all periods beginning on or after July 1, 2011, the cost price shall be reduced by one hundred percent.

* * *

(13)

* * *

(k)(i) For purposes of the imposition of the sales tax levied by the state and any political subdivision whose boundaries are coterminous with those of the state, the sales price of machinery and equipment purchased by a manufacturer for use in a plant facility predominately and directly in the actual manufacturing process of an item of tangible personal property, which is for ultimate sale to another and not for internal use, at one or more fixed locations within Louisiana shall be reduced as follows:

(aa) For the period ending on June 30, 2005, the sales price shall be reduced by five percent.

(aa) (bb) For the period beginning July 1, 2005, and ending on June 30, 2006, the sales price shall be reduced by ~~fourteen~~ nineteen percent.

(bb) (cc) For the period beginning July 1, 2006, and ending on June 30, 2007, the sales price shall be reduced by ~~twenty-eight~~ thirty-three percent.

(cc) (dd) For the period beginning July 1, 2007, and ending on June 30, 2008, the sales price shall be reduced by ~~forty-two~~ forty-seven percent.

(dd) (ee) For the period beginning July 1, 2008, and ending on June 30, 2009, the sales price shall be reduced by ~~fifty-six~~ sixty-one percent.

(ee) (ff) For the period beginning July 1, 2009, and ending on June 30, 2010, the sales price shall be reduced by ~~seventy~~ seventy-five percent.

(ff) (gg) For the period beginning July 1, 2010, and ending on June 30, 2011, the sales price shall be reduced by ~~eighty-four~~ eighty-nine percent.

(gg) (hh) For all periods beginning on or after July 1, 2011, the sales price shall be reduced by one hundred percent.

* * *

(28)(a) For purposes of the imposition of the lease or rental tax levied by the state and any political subdivision whose boundaries are coterminous with those of the state, the "gross proceeds", "monthly lease or rental price paid", and "monthly lease or rental price contracted or agreed to be paid" for machinery and equipment used by a manufacturer in a plant facility predominately and directly in the actual manufacturing process of an item of tangible personal property, which is for ultimate sale to another and not for internal use, at one or more fixed locations within Louisiana shall be reduced as follows:

(i) For the period ending on June 30, 2005, by five percent.

(i) (ii) For the period beginning July 1, 2005, and ending on June 30, 2006, by ~~fourteen~~ nineteen percent.

(ii) (iii) For the period beginning July 1, 2006, and ending on June 30, 2007, by ~~twenty-eight~~ thirty-three percent.

(iii) (iv) For the period beginning July 1, 2007, and ending on June 30, 2008, by ~~forty-two~~ forty-seven percent.

(iv) (v) For the period beginning July 1, 2008, and ending on June 30, 2009, by ~~fifty-six~~ sixty-one percent.

(v) (vi) For the period beginning July 1, 2009, and ending on June 30, 2010, by ~~seventy~~ seventy-five percent.

(vi) (vii) For the period beginning July 1, 2010, and ending on June 30, 2011, by ~~eighty-four~~ eighty-nine percent.

(vii) (viii) For all periods beginning on or after July 1, 2011, by one hundred percent.

* * *

AMENDMENT NO. 15

On page 7, delete lines 11 through 13, and insert the following:

"Section 4.A. Sections 1 and 4 of this Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

Page 14 HOUSE

6th Day's Proceedings - March 12, 2004

B. In the event that the Revenue Estimating Conference revises the estimate of State General Fund (Direct) which is available for appropriation for Fiscal Year 2004-2005 and such revision exceeds the December 16, 2003, forecast of such State General Fund (Direct) by one hundred eighty million dollars or more, Section 2 of this Act shall become effective on the first day of the second month following the month in which such forecast is revised by the conference.

C. In the event that the Revenue Estimating Conference revises the estimate of State General Fund (Direct) which is available for appropriation for Fiscal Year 2004-2005 and such revision exceeds the December 16, 2003, forecast of such State General Fund (Direct) by two hundred thirty-five million dollars or more, Section 3 of this Act shall become effective on the first day of the second month following the month in which such forecast is revised by the conference."

On motion of Rep. Hammett, the amendments were adopted.

Rep. Scalise sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Scalise to Engrossed House Bill No. 2 by Representative Hammett

AMENDMENT NO. 1

On page 2, line 3, change "July" to "January" and change "2006" to "2005"

AMENDMENT NO. 2

On page 2, line 4, change "fourteen" to "ten"

AMENDMENT NO. 3

On page 2, line 5, change "2006" to "2005" and change "2007" to "2006"

AMENDMENT NO. 4

On page 2, line 6, change "twenty-eight" to "forty"

AMENDMENT NO. 5

On page 2, line 7, change "2007" to "2006" and change "2008" to "2007"

AMENDMENT NO. 6

On page 2, line 8, change "forty-two" to "seventy"

AMENDMENT NO. 7

On page 2, delete lines 9 through 14 in their entirety

AMENDMENT NO. 8

On page 2, line 15, change "(gg)" to "(dd)" and change "2011" to "2007"

AMENDMENT NO. 9

On page 5, line 3, change "July" to "January" and change "2006" to "2005"

AMENDMENT NO. 10

On page 5, line 4, change "fourteen" to "ten"

AMENDMENT NO. 11

On page 5, line 5, change "2006" to "2005" and change "2007" to "2006"

AMENDMENT NO. 12

On page 5, line 6, change "twenty-eight" to "forty"

AMENDMENT NO. 13

On page 5, line 7, change "2007" to "2006" and change "2008" to "2007"

AMENDMENT NO. 14

On page 5, line 8, change "forty-two" to "seventy"

AMENDMENT NO. 15

On page 5, delete lines 9 through 14 in their entirety

AMENDMENT NO. 16

On page 5, line 15, change "(gg)" to "(dd)" and change "2011" to "2007"

AMENDMENT NO. 17

On page 6, line 7, change "July" to "January" and change "2006" to "2005"

AMENDMENT NO. 18

On page 6, line 8, change "fourteen" to "ten"

AMENDMENT NO. 19

On page 6, line 9, change "2006" to "2005" and change "2007" to "2006"

AMENDMENT NO. 20

On page 6, line 10, change "twenty-eight" to "forty"

AMENDMENT NO. 21

On page 6, line 11, change "2007" to "2006" and change "2008" to "2007"

AMENDMENT NO. 22

On page 6, line 12, change "forty-two" to "seventy"

AMENDMENT NO. 23

On page 6, delete lines 13 through 18 in their entirety

AMENDMENT NO. 24

On page 6, line 19, change "(vii)" to "(iv)" and change "2011" to "2007"

AMENDMENT NO. 25

On page 7, On page 7, delete lines 7 through 9, and insert the following:

"I. A political subdivision may, by ordinance, provide for a sales and use tax exclusion as provided for in R.S. 47:301(3)(i), 301(13)(k), and 301(28), for the sales, cost or lease and rental price of manufacturing machinery and equipment, either immediately effective, or subject to an equal or shorter phase-in period as provided in those provisions."

Rep. Scalise moved the adoption of the amendments.

Rep. Hammett objected.

By a vote of 34 yeas and 69 nays, the amendments were rejected.

Rep. Daniel sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Tucker and Daniel to Engrossed House Bill No. 2 by Representative Hammett

AMENDMENT NO. 1

On page 7, between lines 10 and 11, insert the following:

"Section 2. If at any time prior to the end of the 2004-2005 fiscal year the Revenue Estimating Conference certifies State General Fund revenues which exceed the December 16, 2003 State General Fund revenue estimate of \$6,537,800,000 by greater than \$15,000,000, the phase-in schedules of R.S. 47:301(i)(i)(aa) through (gg), 47:301(13)(k)(i)(aa) through (gg), and 47:301(28)(a)(i) through (vii) for the exclusion for manufacturing machinery and equipment, as provided for in Section 1 of this Act, shall be revised in accordance with Section 3 of this Act.

Section 3(a). The revised phase-in schedules set forth in this Section shall not become effective unless and until the condition set forth in Section 2 is satisfied. Provided the condition set forth in Section 2 of this Act is satisfied, R.S. 47:301(3)(i)(i), (13)(k)(i), and (28)(a) are hereby enacted to read as follows:

§301. Definitions

As used in this Chapter the following words, terms, and phrases have the meaning ascribed to them in this Section, unless the context clearly indicates a different meaning:

* * *

(3)

* * *

(i)(i) For purposes of the imposition of the use tax levied by the state and any political subdivision whose boundaries are coterminous with those of the state, the cost price of machinery and equipment used by a manufacturer in a plant facility predominately and directly in the actual manufacturing process of an item of tangible personal property, which is for ultimate sale to another and not for internal use, at one or more fixed locations within Louisiana shall be reduced as follows:

(aa) For the period beginning July 1, 2004, and ending on June 30, 2005, the cost price shall be reduced by five percent.

(bb) For the period beginning July 1, 2005, and ending on June 30, 2006, the cost price shall be reduced by twenty percent.

(cc) For the period beginning July 1, 2006, and ending on June 30, 2007, the cost price shall be reduced by thirty-five percent.

(dd) For the period beginning July 1, 2007, and ending on June 30, 2008, the cost price shall be reduced by fifty percent.

(ee) For the period beginning July 1, 2008, and ending on June 30, 2009, the cost price shall be reduced by sixty-five percent.

(ff) For all periods beginning July 1, 2009, and ending on June 30, 2010, the cost price shall be reduced by eighty-two and one-half percent.

(gg) For all periods beginning on or after July 1, 2010, the cost price shall be reduced by one hundred percent.

* * *

(13)

* * *

(k)(i) For purposes of the imposition of the sales tax levied by the state and any political subdivision whose boundaries are coterminous with those of the state, the sales price of machinery and equipment purchased by a manufacturer for use in a plant facility predominately and directly in the actual manufacturing process of an item of tangible personal property, which is for ultimate sale to another and not for internal use, at one or more fixed locations within Louisiana shall be reduced as follows:

(aa) For the period beginning July 1, 2004, and ending on June 30, 2005, the sales price shall be reduced by five percent.

(bb) For the period beginning July 1, 2005, and ending on June 30, 2006, the sales price shall be reduced by twenty percent.

(cc) For the period beginning July 1, 2006, and ending on June 30, 2007, the sales price shall be reduced by thirty-five percent.

(dd) For the period beginning July 1, 2007, and ending on June 30, 2008, the sales price shall be reduced by fifty percent.

(ee) For the period beginning July 1, 2008, and ending on June 30, 2009, the sales price shall be reduced by sixty-five percent.

(ff) For all periods beginning July 1, 2009, and ending on June 30, 2010, the sales price shall be reduced by eighty-two and one-half percent.

(gg) For all periods beginning on or after July 1, 2010, the sales price shall be reduced by one hundred percent.

* * *

(28)(a) For purposes of the imposition of the lease or rental tax levied by the state and any political subdivision whose boundaries are coterminous with those of the state, the "gross proceeds", "monthly lease or rental price paid" and "monthly lease or rental price contracted or agreed to be paid" for machinery and equipment used by a manufacturer in a plant facility predominately and directly in the actual manufacturing process of an item of tangible personal property, which is for ultimate sale to another and not for internal use, at one or more fixed locations within Louisiana shall be reduced as follows:

(i) For the period beginning July 1, 2004, and ending on June 30, 2005, by five percent.

Page 16 HOUSE

6th Day's Proceedings - March 12, 2004

(ii) For the period beginning July 1, 2005, and ending on June 30, 2006, by twenty percent.

(iii) For the period beginning July 1, 2006, and ending on June 30, 2007, by thirty-five percent.

(iv) For the period beginning July 1, 2007, and ending on June 30, 2008, by fifty percent.

(v) For the period beginning July 1, 2008, and ending on June 30, 2009, by sixty-five percent.

(vi) For all periods beginning July 1, 2009, and ending on June 30, 2010, by eighty-two and one-half percent.

(vii) For all periods beginning on or after July 1, 2010, by one hundred percent.

* * *

Section 3(b). Provided the condition set forth in Section 2 of this Act is satisfied and the phase-in schedules of Section 3(a) become effective, a taxpayer shall receive a refund as an overpayment with respect to any sales and use taxes paid in connection with the purchase, use, lease, or rental of manufacturing machinery and equipment during the 2004-2005 fiscal year which would not have been due had the condition set forth in Section 2 been satisfied on or before July 1, 2004."

AMENDMENT NO. 2

On page 7, line 11, change "Section 2." to "Section 4."

On motion of Rep. Daniel, the amendments were withdrawn.

Rep. Tucker sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Tucker and Murray to Engrossed House Bill No. 2 by Representative Hammett

AMENDMENT NO. 1

On page 7, delete lines 7 through 9, and insert the following:

"L. A political subdivision may, by ordinance, provide for a sales and use tax exclusion as provided for in R.S. 47:301(3)(i), (13)(k), and (28) for the sales, cost, or lease and rental price of manufacturing machinery and equipment, either immediately effective, or subject to an equal or lesser phase-in period as provided in those provisions."

On motion of Rep. Tucker, the amendments were adopted.

Rep. Farrar sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Farrar to Engrossed House Bill No. 2 by Representative Hammett

AMENDMENT NO. 1

On page 3, at the end of line 20, insert the following:

"Manufacturers shall also mean a person whose principal activity is as an electric utility."

Rep. Farrar moved the adoption of the amendments.

Rep. Hammett objected.

By a vote of 46 yeas and 54 nays, the amendments were rejected.

Rep. Daniel sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed House Bill No. 2 by Representative Hammett

AMENDMENT NO. 1

On page 7, between lines 10 and 11, insert the following:

"Section 2. In the event that the Revenue Estimating Conference revises the estimate of money to be received by the state general fund and dedicated funds which are available for appropriation for Fiscal Year 2004-2005 and such revisions is greater than fifteen million dollars over any amounts recognized by the conference as a result of any Act that passed during the First Extraordinary Session of the Legislature of 2004, the phase-in schedules of R.S. 47:301(i)(i)(aa) through (gg), 47:301(13)(k)(i)(aa) through (gg), and 47:301(28)(a)(i) through (vii) for the exclusion for manufacturing machinery and equipment, as provided for in Section 1 of this Act, shall be revised in accordance with Section 3 of this Act.

Section 3(a). The revised phase-in schedules set forth in this Section shall not become effective unless and until the condition set forth in Section 2 is satisfied. Provided the condition set forth in Section 2 of this Act is satisfied, R.S. 47:301(3)(i)(i), (13)(k)(i), and (28)(a) are hereby enacted to read as follows:

§301. Definitions

As used in this Chapter the following words, terms, and phrases have the meaning ascribed to them in this Section, unless the context clearly indicates a different meaning:

* * *

(3)

* * *

(i)(i) For purposes of the imposition of the use tax levied by the state and any political subdivision whose boundaries are coterminous with those of the state, the cost price of machinery and equipment used by a manufacturer in a plant facility predominately and directly in the actual manufacturing process of an item of tangible personal property, which is for ultimate sale to another and not for internal use, at one or more fixed locations within Louisiana shall be reduced as follows:

(aa) For the period beginning July 1, 2004, and ending on June 30, 2005, the cost price shall be reduced by five percent.

(bb) For the period beginning July 1, 2005, and ending on June 30, 2006, the cost price shall be reduced by twenty percent.

(cc) For the period beginning July 1, 2006, and ending on June 30, 2007, the cost price shall be reduced by thirty-five percent.

(dd) For the period beginning July 1, 2007, and ending on June 30, 2008, the cost price shall be reduced by fifty percent.

(ee) For the period beginning July 1, 2008, and ending on June 30, 2009, the cost price shall be reduced by sixty-five percent.

(ff) For all periods beginning July 1, 2009, and ending on June 30, 2010, the cost price shall be reduced by eighty-two and one-half percent.

(gg) For all periods beginning on or after July 1, 2010, the cost price shall be reduced by one hundred percent.

* * *

(13)

* * *

(k)(i) For purposes of the imposition of the sales tax levied by the state and any political subdivision whose boundaries are coterminous with those of the state, the sales price of machinery and equipment purchased by a manufacturer for use in a plant facility predominately and directly in the actual manufacturing process of an item of tangible personal property, which is for ultimate sale to another and not for internal use, at one or more fixed locations within Louisiana shall be reduced as follows:

(aa) For the period beginning July 1, 2004, and ending on June 30, 2005, the sales price shall be reduced by five percent.

(bb) For the period beginning July 1, 2005, and ending on June 30, 2006, the sales price shall be reduced by twenty percent.

(cc) For the period beginning July 1, 2006, and ending on June 30, 2007, the sales price shall be reduced by thirty-five percent.

(dd) For the period beginning July 1, 2007, and ending on June 30, 2008, the sales price shall be reduced by fifty percent.

(ee) For the period beginning July 1, 2008, and ending on June 30, 2009, the sales price shall be reduced by sixty-five percent.

(ff) For all periods beginning July 1, 2009, and ending on June 30, 2010, the sales price shall be reduced by eighty-two and one-half percent.

(gg) For all periods beginning on or after July 1, 2010, the sales price shall be reduced by one hundred percent.

* * *

(28)(a) For purposes of the imposition of the lease or rental tax levied by the state and any political subdivision whose boundaries are coterminous with those of the state, the "gross proceeds", "monthly lease or rental price paid" and "monthly lease or rental price contracted or agreed to be paid" for machinery and equipment used by a manufacturer in a plant facility predominately and directly in the actual manufacturing process of an item of tangible personal property, which is for ultimate sale to another and not for internal use, at one or more fixed locations within Louisiana shall be reduced as follows:

(i) For the period beginning July 1, 2004, and ending on June 30, 2005, by five percent.

(ii) For the period beginning July 1, 2005, and ending on June 30, 2006, by twenty percent.

(iii) For the period beginning July 1, 2006, and ending on June 30, 2007, by thirty-five percent.

(iv) For the period beginning July 1, 2007, and ending on June 30, 2008, by fifty percent.

(v) For the period beginning July 1, 2008, and ending on June 30, 2009, by sixty-five percent.

(vi) For all periods beginning July 1, 2009, and ending on June 30, 2010, by eighty-two and one-half percent.

(vii) For all periods beginning on or after July 1, 2010, by one hundred percent.

* * *

Section 3(b). Provided the condition set forth in Section 2 of this Act is satisfied and the phase-in schedules of Section 3(a) become effective, a taxpayer shall receive a refund as an overpayment with respect to any sales and use taxes paid in connection with the purchase, use, lease, or rental of manufacturing machinery and equipment during the 2004-2005 fiscal year which would not have been due had the condition set forth in Section 2 been satisfied on or before July 1, 2004."

AMENDMENT NO. 2

On page 7, line 11, change "Section 2." to "Section 4."

Rep. Daniel moved the adoption of the amendments.

Rep. Hammett objected.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Alexander	Frith	Schneider
Beard	Futrell	Shepherd
Bowler	Geymann	Smiley
Bruneau	Glover	Smith, J.R.—30th
Burns	Hutter	St. Germain
Carter, R.	Johns	Strain
Crane	Katz	Toomy
Curtis	LaBruzzo	Townsend
Damico	Lancaster	Triche
Daniel	McVea	Tucker
DeWitt	Morrish	Waddell
Downs	Odinot	Walsworth
Erdey	Pitre	White
Farrar	Powell, M.	Winston
Faucheux	Romero	Wright
Flavin	Scalise	
Total—47		

NAYS

Mr. Speaker	Dove	Marchand
Alario	Durand	McDonald
Ansardi	Fannin	Montgomery
Arnold	Gallot	Murray
Badon	Gray	Pierre
Baldone	Guillory, E.	Pinac
Baudoin	Guillory, M.	Powell, T.
Baylor	Hammett	Richmond

Page 18 HOUSE

6th Day's Proceedings - March 12, 2004

Broome	Hebert	Ritchie
Bruce	Honey	Smith, G.—56th
Burrell	Hopkins	Smith, J.D.—50th
Carter, K.	Hunter	Smith, J.H.—8th
Cazayoux	Jackson	Thompson
Dartez	Jefferson	Trahan
Doerge	Kenney	Walker
Dorsey	Lambert	Wooton
Total—48		

ABSENT

Crowe	Hudson	Martiny
Heaton	Kennard	Morrell
Hill	LaFleur	Quezaire
Total—9		

The amendments were rejected.

Rep. Hammett moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Flavin	Murray
Alexander	Frith	Odinet
Ansardi	Futrell	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Glover	Powell, M.
Baudoin	Gray	Powell, T.
Baylor	Guillory, E.	Richmond
Beard	Guillory, M.	Ritchie
Bowler	Hammett	Scalise
Broome	Heaton	Schneider
Bruce	Hebert	Shepherd
Bruneau	Hill	Smiley
Burns	Honey	Smith, G.—56th
Burrell	Hopkins	Smith, J.D.—50th
Carter, K.	Hudson	Smith, J.H.—8th
Carter, R.	Hunter	Smith, J.R.—30th
Cazayoux	Hutter	St. Germain
Crane	Jackson	Strain
Crowe	Jefferson	Thompson
Curtis	Johns	Toomy
Damico	Katz	Townsend
Daniel	Kenney	Trahan
Dartez	LaBruzzo	Triche
DeWitt	LaFleur	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrell	
Total—101		

NAYS

Romero
Total—1

ABSENT

Kennard
Total—2

Quezaire

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hammett moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 3—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, MONTGOMERY, ARNOLD, BALDONE, K. CARTER, DARTEZ, FARRAR, FAUCHEUX, HEATON, JEFFERSON, KENNEY, RICHMOND, JANE SMITH, AND TOWNSEND

AN ACT

To amend and reenact R.S. 47:601(A)(introductory paragraph), 602(A), (B), and (E)(1), 603(A), 604(A)(introductory paragraph) and (C), and 606(A)(introductory paragraph) and (C), to enact R.S. 47:602(G) and 605.1, and to repeal R.S. 47:601(D) and 603, relative to the corporation franchise tax; to reduce the amount of borrowed capital included in taxable capital until it is phased out; and to provide for related matters.

Read by title.

Rep. Hammett moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Murray
Alario	Frith	Odinet
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Heaton	Romero
Broome	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hopkins	Smiley
Burrell	Hudson	Smith, G.—56th
Carter, K.	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Curtis	Johns	Strain
Damico	Katz	Thompson
Daniel	Kenney	Toomy
Dartez	LaBruzzo	Townsend
DeWitt	LaFleur	Trahan
Doerge	Lambert	Triche
Dorsey	Lancaster	Tucker
Dove	Marchand	Waddell
Downs	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	McVea	White
Fannin	Montgomery	Winston
Farrar	Morrell	Wooton
Faucheux	Morrish	Wright
Total—102		

NAYS

Total—0

ABSENT

Crowe Kennard
Total—2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hammett moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Introduction of Resolutions,
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 5—

BY REPRESENTATIVE GRAY

A RESOLUTION

To commend Dunbar's Creole Cooking in New Orleans upon the celebration of its twentieth anniversary.

Read by title.

On motion of Rep. Gray, and under a suspension of the rules, the resolution was adopted.

Leave of Absence

Rep. Kennard - 1 day

Adjournment

On motion of Rep. Kenney, at 1:15 P.M., the House agreed to adjourn until Tuesday, March 16, 2004, at 5:00 P.M.

The Speaker of the House declared the House adjourned until 5:00 P.M., Tuesday, March 16, 2004.

ALFRED W. SPEER
Clerk of the House

